

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARCUS SCHABACKER and
EMERGENCY CARE RESEARCH
INSTITUTE doing business as ECRI,
Plaintiffs,

v.

STEVEN FERENS,
Defendant.

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CIVIL NO. 22-3778

ORDER

AND NOW, this 21st day of February, 2024, upon consideration of Motion for Summary Judgment of Defendant Steven Ferens (ECF No. 43), Plaintiffs' Memorandum of Law in Support of Their Response in Opposition to Defendant's Motion for Summary Judgment (ECF No. 45), Reply Brief in Support of Defendant Steven Ferens' Motion for Summary Judgment (ECF No. 47), and Plaintiffs' Sur-Reply Brief in Support of Their Response in Opposition to Defendant's Motion for Summary Judgment (ECF No. 49), it is hereby **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

IT IS FURTHER ORDERED as follows:

1. Summary judgment is **GRANTED** in favor of the defendant on Count I of the Amended Complaint, and Count I is **DISMISSED WITH PREJUDICE**.
2. Summary judgment is **DENIED** as to all of the remaining counts in the Amended Complaint.

BY THE COURT:

/s/ Kai N. Scott

HON. KAI N. SCOTT
United States District Court Judge